

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 09 CR 887
)	
MARIBEL HAMID #41661424,)	
)	
Defendant.)	

MEMORANDUM ORDER

Maribel Hamid ("Hamid"), who is serving a 26-month sentence imposed by this Court on February 26, 2010 following Hamid's entry of a guilty plea to a charge of bank fraud, has just written the attached letter requesting a reduction of that sentence. Unfortunately for Hamid, neither Congress nor the Federal Rules of Criminal Procedure ("Rules") have given that power of revision to the sentencing judge.

Instead, Rule 35(a) creates a very small window--just 14 days after sentencing--during which the court can grant relief, and even that is limited to "arithmetical, technical, or other clear error." There is an exception (provided by Rule 35(b)) to that extremely limited judicial power, but it is reserved for situations in which the government moves for a sentence reduction based on a defendant's substantial assistance in the investigation or prosecution of some other person's criminal activity.

In all other respects, decisions as to the service of the sentence pronounced by the sentencing judge are within the sole

control of the Bureau of Prisons. Accordingly this Court is without jurisdiction to consider Hamid's request, and it is denied for that reason.¹



Milton I. Shadur
Senior United States District Judge

Date: May 18, 2011

¹ No view is therefore expressed here as to the merits of Hamid's request.

May 11, 2011

Honorable Judge Milton I. Shadur
United States District Court
Northern District of Illinois
Eastern Division
219 South Dearborn Street
U.S. Court House Rm 2303
Chicago, IL. 60604

United State of America
vs. Maribel Hamid
Case No. 09 CR 887
Steven A. Greenberg
Defendant Attorney
Patrick J. Fitzgerald
United State Attorney
Sentence date 2/26/2010

I am requesting a reduction of my sentence. I have performed some serious soul searching; result being a change of my thinking.


All aspects of my Plea Agreement have been fulfilled within the time frame required including full payment of restitution paid in May 6, 2010 a month after I self surrender (4/20/2010). I have completed many programs (listed below) provided to help inmates who want a new lifestyle.

I respectfully request your consideration for a reduction of sentence. I am truly sorry for the abuse of trust that I am responsible for and assure you that will never occur again. I thank you for sending me to a safe place which has helped me with my rehabilitation.

- * College enrollment
Supervisory Management Course
- * Project Linus (croche baby blankets) 200Hr.
A non-profit organization sponsor
- * Culinary ServSafe Certification
- * Life Skills class
- * Fork Lift Operations Safety Course
- * Basic Typing Skills Course
- * Basic Accounting Course
- * U.S. Government Class
- * The Creative Writing and Communication Course
- * Walking for Wellness Class

Thank you for any consideration you may grant to me.

Sincerely,


Maribel Hamid